REMARKS

This Amendment is being filed in response to the Office Action mailed July 25, 2007 which have been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

In the Final Office Action, claims 1-7 and 11-16 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. 5,550,657 (Tanaka) in view of JP-02-221829 (Hattori). Further, claims 8-9 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Tanaka in view of Hattori and U.S. 6,568,820 (Ohkawa). It is respectfully resubmitted that claims 1-9 and 11-22 are patentable over Tanaka, Hattori and Ohkawa for at least the following reasons.

Tanaka is directed to a back-lit reflective liquid crystal display (LCD) device that includes a planar illumination unit 3 having a cold cathode tube 6, as shown in FIG 1. As recited on column 2, lines 9-10, "it is important to **reduce the loss** of the light that has been emitted by the cold cathode tube 6" both to

provide a brighter display and reduce power consumption.

As correctly noted by the Examiner on pages 2-3 of the Office Action Tanaka does not teach or suggest any light absorbing or light scattering elements. Hattori is cited in an attempt to remedy the deficiencies in Tanaka.

Hattori is directed to an **optical fiber** for a **temperature sensor** that includes liquid crystal material in a clad 1 surrounding a glass core 1. In the liquid crystal, scattered light changes in accordance with a used temperature area contained in the clad 2. Thus, the temperature of the Hattori optical fiber is determined by measuring the change of the transmission loss.

On page 5 of the Office Action, second paragraph, it is stated that:

> The newly added claim language is functional in nature and therefore is not capable of overcoming the prior art. ... The prior art teaches the positional relationship and therefore meets al the structural requirements based on the claim language to reduce ghosting of images displayed on the screen. (Emphasis added)

On page 3 of the Office Action, end of first paragraph, it is further stated that:

> Tanaka and Hattori teach the claimed configuration of the absorbing means and the

> light scattering means and therefore would be able to perform the claimed function of reducing ghosting of images displayed on the screen.

Applicants respectfully disagree. It is respectfully submitted that "light absorbing means ... configured to absorb light scattered from said non-random light-scattering structure and reduce ghosting of images displayed on a screen," as recited in independent claim 1, and similarly recited in independent claim 11, is not merely a functional limitation. Rather, light absorbing means configured to absorb light an configured to reduce ghosting of images provide a structural limitation that should be accorded patentable weight. Even if the noted claim language is a functional limitation, it is well known that a functional limitation should be accorded patentable weight. (See, e.g., *Ex parte* Sherman, 45, USPQ 532, 534 (Pat. Off. Bd. App. 1939):

> While the claims contain numerous functional statements, these statements seem to be used for the purpose of clearly defining or differentiating elements which have been positively included in the claims. We see no objection to the use to the functional statement to define an element, even where the element may be set forth by the term "means."

Accordingly, it is respectfully submitted that patentable weight be accorded to the noted features, which do indeed overcome

the prior art.

It is respectfully submitted that the combination of Tanaka and Hattori is not even proper, as no one skilled in the art of imaging would turn to the Hattori temperature sensor. Even if such a combination is proper, the result of the combination is including, somewhere in the Tanaka display, the Hattori clad 2 that has liquid crystal material with a light scattering and absorption effect.

There is no teaching in the combination of Tanaka and Hattori as to where exactly to include the Hattori clad 2 in the Tanaka display. Why would anyone include a temperature sensor in a display and, even then, use the temperature sensor as a ghost reducing structure?

Further yet, Tanaka is concerned with reducing loss "it is important to **reduce the loss** of the light that has been emitted by the cold cathode tube 6" both to provide a brighter display and reduce power consumption. (Column 2, lines 9-10) Why would one skilled in the art, concerned with reducing loss in a display, add to the Tanaka display, the Hattori clad 2 which would surely **increase light loss** due to scattering or absorption of the Hattori

clad 2?

It is respectfully submitted that one skilled in the art would not arrive to the present invention as recited in independent claims 1 and 11 from the combination of Tanaka and Hattori without impermissible hindsight. Further, one skilled in the art would not arrive to the present invention even from the combination of Tanaka and Hattori, which combination does not teach or suggest any element or elements that are configured to reduce ghosting.

It is respectfully submitted that Tanaka, Hattori, and combination thereof, do not teach or suggest the present invention as recited in independent claim 1 which, amongst other patentable elements, requires (illustrative emphasis provided):

> light absorbing means adjacent said non-random light-scattering structure and configured to absorb light scattered from said non-random light-scattering structure and reduce ghosting of images displayed on a screen,

and as recited in independent claim 11 which requires (illustrative emphasis provided):

> a mounting portion extending from the lens element, said mounting portion having spaced parallel surfaces that extend perpendicularly to said optical axis;
>
> a light-scattering structure configured to couple out light entering said mounting portion, said light-

scattering structure being located on at least one of said spaced parallel surfaces; and

a light absorber configured to absorb light scattered from said light-scattering structure and reduce ghosting of images displayed on a screen.

There is simply no teaching or suggestion in Tanaka and Hattori, alone or in combination, of a light absorber configured to reduce ghosting of images displayed on a screen. Tanaka and Hattori are simply not concerned with reducing ghosts of images. Rather, Tanaka is concerned with reducing light loss in a display, and Hattori is concerned with sensing temperature. Ohkawa is cited in rejecting dependent claims to allegedly show other features, and does not remedy the deficiencies of Tanaka.

Accordingly, it is respectfully requested that independent claims 1 and 11 be allowed. In addition, it is respectfully submitted that claims 2-9 and 12-22 should also be allowed based at least on their dependence from independent claims 1 and 11.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to

submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By _____
Dicran Halajian, Reg. 39,703
Attorney for Applicant(s)
October 22, 2007

THORNE & HALAJIAN, LLP
Applied Technology Center
111 West Main Street
Bay Shore, NY 11706
Tel: (631) 665-5139
Fax: (631) 665-5101